



October 10, 2005

Mr. Fareed Ferhut
Integrated Waste Management Specialist
Buy Recycled Section
CIWMB
P.O. Box 4025, MS-12
Sacramento, CA 95812

Dear Mr Ferhut:

Thank-you for your Sept 19th response to Xerox's comments on California's proposed environmentally preferable product standard for printer and duplication cartridges. The changes you've made much improve the standard. Specifically, we support these changes:

- Clarification that the requirements will apply to a cartridge model, not a specific single cartridge.
- In Tier 1, omission of the sentence referring to "specific design features".
- For Tier 2 benchmarks, introduction of the point system clarifies how a manufacturer would meet the requirement through a combination of benchmarks.
- In benchmark 3, including a distinction between remanufactured and refurbished cartridges.

We have remaining concerns in the following areas:

- Definition of "cartridge" requires additional detail. There are many types of cartridges, for different functions, used within printer and copier equipment. In addition, there are many cartridge designs, some very complex, and some less sophisticated. A clearer understanding is needed regarding what components are to be included under this standard. California already controls environmental attributes of simple toner containers sold in the state through its Rigid Plastic Packaging Container law which imposes minimum recycle content, reuse and weight reduction. We believe these simple toner plastic bottles should be excluded from this standard.
- In benchmark 3, the lack of acceptance of Waste to Energy conversion as a valid form of recycling fails to recognize the challenges associated with materials recycling of empty toner cartridges. Due to a small amount of residual toner left in the cartridge, cleaning is necessary before recycling. This step increases the cost of materials recycling to a prohibitive level.
- Certification: It is still unclear how manufacturers who attain these benchmarks will certify their cartridges as EPP cartridges within the State of California. What will the certification process look like? What documentation will be necessary? Will it be a one-time or annual process? What agency will be responsible?

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- Procurement: How will the EPP designation be put into practice by State agencies? Many California State organizations lease OEM equipment under programs where the service and supplies costs are included in a cost-per-copy charge. Would equipment on these "metered" plans be affected?

Once again, thank-you for the opportunity to participate in this proces. If you have any questions about these comments or seek further information, please direct them to Anne Stocum, 585-422-1655, anne.stocum@xerox.com.

Sincerely,

A handwritten signature in black ink, reading "Patricia A. Calkins".

Patricia A. Calkins, Vice President
Environment, Health and Safety

PAC/as

Attachment